

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Civil Action No. 3:22-cv-0191

KANAUTICA ZAYRE-BROWN,)
)
Plaintiff,)
)
v.)
)
THE NORTH CAROLINA)
DEPARTMENT OF PUBLIC)
SAFETY, et al.,)
)
Defendants.)
)

DEPOSITION OF ARTHUR CAMPBELL, M.D.

(Taken by plaintiff.)

Raleigh, North Carolina

April 18, 2023, 4:36 p.m.

Reported By:
SUSAN GALLAGHER, CA CSR, CVR-CM

1 specific for a particular offender. This was a very
2 large-scale attempt to try to standardize our
3 evaluations of gender-affirming surgery surgery in the
4 context of medical necessity so that we had an
5 objective way of determining if and when offenders
6 would meet that bar, and therefore, surgery would be
7 indicated for them.

8 Q Did you utilize this document, which you
9 created as a standardized way to make these
10 assessments, while you were trying to make the
11 assessment with regard to Mrs. Zayre-Brown's request
12 for vulvoplasty?

13 MR. RODRIGUEZ: Objection as to vague as to which
14 document.

15 MS. MAFFETORE: The medical position statement that
16 we are currently discussing.

17 THE WITNESS: Which exhibit?

18 MS. MAFFETORE: Exhibit 10.

19 MR. RODRIGUEZ: Okay.

20 THE WITNESS: So I would say that this is -- you
21 know, this is certainly not inconsistent with any
22 version of this. So there is no version of this that
23 conflicts with the others. They just include different
24 aspects and different considerations and, again,
25 represent an evolution of the document over time and

1 different versions that were being prepared.

2 BY MS. MAFFETORE:

3 Q Okay. So my question is, the considerations
4 that are discussed in this medical director position
5 statement, did you also consider these considerations
6 as you were reviewing Mrs. Zayre-Brown's request for
7 vulvoplasty?

8 A So these were considered in any cases --

9 Q So I'm asking you specifically about Mrs.
10 Zayre-Brown's --

11 A Yes.

12 Q Okay. Thank you.

13 Did anything from your review of specifically
14 Mrs. Zayre-Brown's case lead you to believe that she
15 would experience increased suicidality if she received
16 vulvoplasty?

17 A No.

18 Q If not, why did that factor into your medical
19 analysis?

20 MR. RODRIGUEZ: Object to assumption of facts.

21 You can answer.

22 THE WITNESS: So as I discussed before, when you do
23 that risk-benefit analysis, you do that with every
24 case, and again, there's the -- I'll call it the
25 positive and negative way of looking at it, the

1 converse way of looking at that analysis. So what is
2 the risk of not providing a procedure for a particular
3 offender in a particular situation? And if you do
4 provide the procedure, what are those risks that you
5 may see with that? So again, I think that consistent
6 analysis occurs in every case, including Mrs.
7 Zayre-Brown's.

8 BY MS. MAFFETORE:

9 Q Did you have any concerns of persistent or
10 increased psychiatric morbidity or mortality with
11 respect to Mrs. Zayre-Brown if she received
12 vulvoplasty?

13 A So the consideration, as I have discussed and
14 as the committee discussed, is that based on her
15 current clinical condition and looking at her clinical
16 condition and clinical mental health, particularly
17 clinical encounters certainly over the past year, and
18 the summaries provided by both Dr. Peiper and Dr.
19 Sheitman was that she was not in a state where we felt
20 that her condition was deteriorating or that she was in
21 such a state that surgery would now be medically
22 indicated.

23 Q So I was asking, did you believe -- did you
24 have concerns about persistent or increased psychiatric
25 morbidity or mortality if she did receive a

1 vulvoplasty?

2 A I don't remember those specific concerns for
3 her, no.

4 Q Okay. To your knowledge, has Mrs. Zayre-Brown
5 ever expressed regret for any of her prior
6 gender-affirming surgery surgeries?

7 A Not to my knowledge, no.

8 Q Do you have any reason to believe that if Mrs.
9 Zayre-Brown had a vulvoplasty, she would subsequently
10 regret that?

11 A Difficult to say, again, for the same reason we
12 talked about before is that we really don't know what
13 leads to individuals having regret or -- you know,
14 related to those procedures. So more research is
15 needed for us to be able to make that determination
16 objectively.

17 Q So does that mean that you don't have any
18 specific reason to believe that Mrs. Zayre-Brown
19 specifically would subsequently regret a vulvoplasty
20 had she received one?

21 A No, I don't have any specific regret -- or that
22 she had regret. I also don't have any specific
23 evidence that it would be a tremendous benefit to her
24 either because that's the state of the medical
25 literature at this point.